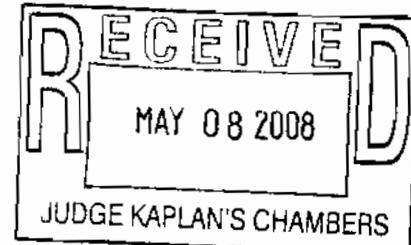


UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK
 BOARD OF TRUSTEES OF THE LOCAL)
 295/LOCAL 851 – I.B.T. EMPLOYER)
 GROUP PENSION TRUST FUND and the)
 BOARD OF TRUSTEES OF THE LOCAL)
 295/LOCAL 851 – I.B.T. EMPLOYER)
 GROUP WELFARE FUND,)
 Plaintiffs,)
 vs.)
 EMPIRE FREIGHT SYSTEMS CORP.,)
 Defendant.)

MEMO ENDORSED

Case No. 08-525 (LAK) (FM)



MOTION FOR DEFAULT JUDGMENT

Plaintiffs, the Board of Trustees of the Local 295/Local 851 – I.B.T. Employer Group Pension Trust Fund and the Board of Trustees of the Local 295/Local 851 – I.B.T. Employer Group Welfare Fund, through their counsel, do hereby move for a default judgment under Rule 55(b)(2) of the Federal Rules of Civil Procedure.

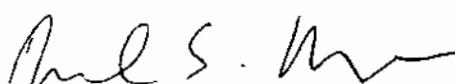
Plaintiffs submit herewith: (1) the affidavit of Rachel S. Paster, along with attachments; (2) a statement of damages; (3) the affidavit of Rachel S. Paster in support of an attorneys' fee award; (5) a certificate of service; and (6) a proposed judgment. Plaintiffs seek a monetary award in the amount of \$161,919.87.

DATED: May 7, 2008

CARY KANE LLP

SO ORDERED

LEWIS A. KAPLAN, USDS


 Rachel S. Paster
 1350 Broadway, Suite 815
 New York, NY 10018
 (212) 868-6300

